

REMARKS

In response to the Office Action dated December 1, 2008, the Applicant has amended claims 1, 7 and 13. Claims 1-19 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 1-19 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Stewart et al. (U.S. Patent No. 6,714,964) in view of Warmus et al. (U.S. Patent No. 5,963,968) in view of Hull et al. (U.S. Patent Publication No. 2007/0253020) and Ryan et al. (7,206,087).

The Applicant respectfully traverses this rejection and contends that the combined cited references do not disclose, teach or suggest all of the elements of the Applicant's newly amended independent claims.

Namely, with regard to claim 1, the combined references do not disclose, teach or suggest the Applicant's newly amended dynamically and automatically creating a document profile for the document file based on specific requirements defined at the designer location and particular capabilities of devices at print service provider location, applying the dynamically created document profile to the document file and automatically adjusting characteristics of the document file based on the dynamically created document profile. With regard to claim 7, the combined references do not disclose, teach or suggest the Applicant's newly amended automatically determining a document profile for the document file from a plurality of document profiles available at the print service provider location, applying the determined document profile to the document file and automatically adjusting characteristics of the document file based on the determined document profile.

In addition, with regard to claim 13, the combined references do not disclose, teach or suggest the Applicant's newly amended automatically selecting a document profile for the document file from a plurality of document profiles available at the print service provider location, applying the selected document profile to the document file and automatically adjusting characteristics of the document file at the designer location based on the selected document profile. Support for these amendments can be found throughout the specification, and in particular, in paragraphs [0021] - [0023] of the Applicant's published patent application, U.S. Patent Publication No. 2005/0030556.

Specifically, although the combined references disclose a system where “a user may be located anywhere in the world and request copying or reproduction of a document according to specific parameters, and may view the final document electronically before the final document is produced in a hard copy format” (see col. 4, lines 58-61 of Stewart et al.), verifying printing (see Abstract of Warmus et al.), retrieving lists of capabilities of devices (see Abstract of Ryan et al.) and “soft-proofing” (see paragraph [044] of Hull et al.), the combination is still missing features of the Applicant’s newly amended independent claims.

For example, with regard to claim 1, the combined references do **not** disclose, teach or suggest the Applicant’s newly amended **dynamically and automatically creating** a document profile for the document file based on specific requirements defined at the designer location particular capabilities of devices at print service provider location, **applying the dynamically** created document **profile** to the document file and **automatically adjusting** characteristics of the document file based on the dynamically created document profile.

Similarly, with regard to claims 7 and 13, the combined references do **not** disclose, teach or suggest the Applicant’s newly amended **automatically determining** (claim 7) or **automatically selecting** (claim 13) a document profile for the document file from a plurality of document profiles available at the print service provider location, **applying** the determined (claim 7) document or selected (claim 13) profile to the document file and **automatically adjusting characteristics** of the document file based on the determined (claim 7) or selected (claim 13) document profile.

Instead, in the combined references, the printer operator selects a job and queues it to an available printer (655), the job is ripped and sent to the printer (660) (Stewart et al.), a control unit merely controls make-ready files (Warmus et al.), a PMC simply uses retrieved lists with all of the capabilities and constraints of devices (Ryan et al.) and the document is simply “soft-proofed” (see para. [044] of Hull et al.).

Therefore, because the combined cited references do not disclose, teach or suggest all of the features of the newly amended independent claims, the Applicant submits that a prima facie case of obviousness does not exist. As a result, the independent claims are patentable over the proposed combination of Stewart et al. in view of Warmus et al., Hull et al. and Ryan et al. As such, withdrawal of the obviousness rejection of the claims is respectfully requested.

With regard to the dependent claims, since they depend from the above-argued respective independent claims, they are therefore patentable on the same basis. (MPEP § 2143.03). Also, the other references cited by the Examiner also have been considered by the Applicant in requesting allowance of the dependant claims and none have been found to teach or suggest the Applicant's claimed invention.

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicants kindly **requests** the Examiner to telephone the Applicant's attorney at **(818) 885-1575**. Please note that all mail correspondence should continue to be directed to:

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